IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – NE/S Evna Road
and Mount Carmel Road
(17020 Evna Road)
7th Election District
3rd Councilmanic District

Sherlock S. Gillet, Jr., et ux Petitioners

- * BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- ^k Case No. 99-164-SPHA

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, Sherlock S. Gillet and Iva Louise Gillet, and the Contract Purchasers, Sherlock S. Gillet, Jr., and his wife, Bruce Ann Gillet. The Petitioners seek approval of the nondensity transfer of a parcel of land containing 0.210 acres, more or less, to an adjacent property owner, and variance relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the front yard, with a height of 25 feet in lieu of the maximum permitted 15 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Sherlock S. Gillet, Jr., Contract Purchaser, and Bruce E. Doak, Professional Engineer with Gerhold, Cross & Etzel, Inc., who prepared the site plan for this property. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that Sherlock S. Gillet and his wife, Iva L. Gillet, previously owned a large tract of land containing approximately 100 acres in area on the

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northeast side of Evna Road and Mt. Carmel Road in Parkton. Mr. & Mrs. Gillet went through the minor subdivision process approximately eight years ago to transfer a 10.292 acre parcel, as shown on Petitioner's Exhibit 1, to their son and daughter-in-law who have since constructed a two-story single family dwelling on the property. Due to the site constraints associated with this 10-acre parcel, including the existence of streams, flood plains, and forest buffers, as well as failed perc tests, the Petitioners' son was forced to construct his home in close proximity to the property line adjoining the remaining 90 acres owned by his parents. The younger Mr. Gillet now wishes to construct a two-car garage to serve his dwelling; however, given the site constraints associated with his property, including the topography of this 10-acre parcel and the location of the septic field, Mr. Gillet proposes to construct the garage on the adjacent 90-acre parcel owned by his father. Thus, the elder Mr. Gillet proposes a nondensity transfer of 0.210 acres to his son and daughter-in-law for the purpose of constructing the garage. This 0.210 acre parcel will be added to the 10.292 acres the younger Mr. Gillet already owns. Due to the location of the existing dwelling on the property, the proposed garage will be located in the front yard. Moreover, the proposed garage will have a height of 25 feet in lieu of the maximum allowed 15 feet. Testimony indicated that the garage was designed to provide additional storage space above. As shown on the site plan, the subject parcel is surrounded by farm fields and is located in a rural area of northern Baltimore County. Thus, it appears that the relief requested will not adversely affect the surrounding locale and meets the spirit and intent of the zoning regulations; however, in order to proceed with the proposed improvements, the requested special hearing and variance relief are necessary.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md.

Date Sylvey Figh FILING

208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing relief is not granted. The Petitioners own a considerable amount of land in this area and it is clear that the proposed transfer of 0.210 acres to the younger Mr. Gillet for the purpose described herein will have no adverse effect on the surrounding community, and should therefore be approved. Furthermore, it has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In my view, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this At day of December, 1998 that the Petition for Special Hearing to

approve the nondensity transfer of 0.210 acres, more or less, to an adjacent property owner, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure (garage) to be located in the front yard, with a height of 25 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, subject to the following restrictions:

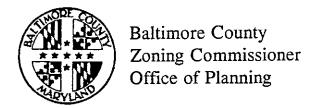
- The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- Pursuant to Section 502.2 of the B.C.Z.R., a new deed incorporating a reference to this case and the restrictions and conditions set forth herein shall be recorded among the Land Records of Baltimore County within sixty (60) days of the date of this Order and a copy of the recorded deed shall be forwarded to the Department of Permits and Development Management (DPDM), through this Zoning Commissioner, for inclusion in the case file.
- When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

December 24, 1998

Mr. & Mrs. Sherlock S. Gillet, Jr. 17020 Evna Road Parkton, Maryland 21120

RE: PETITIONS FOR SPECIAL HEARING & VARIANCE

NE/S Evna Road and Mount Carmel Road

(17020 Evna Road)

7th Election District - 3rd Councilmanic District

Sherlock S. Gillet, et al - Petitioners

Case No. 99-164-SPHA

Dear Mr. & Mrs. Gillet:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO Deputy Zoning Commissioner

lunthy Hotroco

for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Sherlock S. Gillet

14300 Green Road, Glyndon, Md. 21071

People's Counsel; Case File



9.164.50

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

17020 EVNA ROAD

which is recently a

RCZ&RCA

This Petition shall be filed with the Office of Zoning Administration & Development Management.

Property is to be posted and advertised as prescribed by Zoning Regulations.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

THE NON-DENSITY TRANSFER OF A PARCEL OF LAND CONTAINING O.210 ACRES I TO AN ADJOINING PROPERTY OWNER.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

i/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. LEGAL OWNERS PETITIONERS/CONTRACT PURCHASERS SHERLOCK S. GILLET SHERLOCK S. GILLET, Jr. 17020 EVNA ROAD voe or Print Name) Address and phone number of representative to be contacted. BRUCE E. DOAK GERHOLD, CROSS & ETLEL, LTD. Name SUITE 100 320 E. TOWSONTOWN BLVD. 410-823-4470 Address Phone No. Address TOWSON, MD. 21286 OFFICE USE ONLY ESTIMATED LENGTH OF HEARING unavailable for Hearing the following dates ___OTHER_

REVIEWED BY:



etition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

17020 EVNA ROAD

which is presently zoned

PCZ4RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 - TO ALLOW AN ACCESSORY STRUCTURE (GARAGE) TO BE LOCATED IN THE FRONT YARD

400.3 - TO ALLOW AN ACCESSORY STRUCTURE (GARAGE) TO EXCEED of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or THE LOCATION OF THE EXISTING SEPTIC SYSTEM & WELL PROHIBITS

THE PROPOSED GARAGE FROM BEING IN THE REAR YARD.

THE SIZE OF THE PROPOSED GARAGE REQUIRES THE PEAK OF THE ROOF TO EXCEED THE MAXIMUM PERMITTED HEIGHT OF IS FEET.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

LEGAL OWNERS	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petrion.
	PETITIONERS/CONTRACT PURCHASERS
SHERLOCK S. GILLET (Type or Print Name)	SHERLOCK S. GILLET, Jr.
Signature Signature	(Type of Pant Name) Signature
14200 () -	Signature
14300 GREEN ROAD	BRUCE ANN GILLET
GIVADON MAS	(Type at microane)
GLYNDON MD. 21071 City State Zipc	
<u> </u>	O'gradie
IVA LOUISE GILLET	17020 EVALA 20AD 410-343-1373
	Address Phone No
Wa-Wille Sider	PARKTON MARYLAND 21120
Signature	City
Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z Z	Name, Address and phone number of representative to be contacted. BRUCE, E. DOAK
I ddres	GERHOLD, CROSS & ETZEL, LTD.
Phone No.	341/6 100
City State Zipco	Address - TOWSONTOWN BLVD 410-823-4470
3/4 A	Address TOWSOAL, MD. 21286 Phone No.
TO THE MEAN	OFFICE USE ONLY ESTIMATED LENGTH OF HEARING
	unavaliable for Hearing
Printed with Saybean Ink	the following dates Next Two Months
on Recycled Paper	ALLOTHER
	REVIEWED BY: DATE
# 99.164-RDD	
of TTIBY-SPH	14

GORDON T. LANGDON
EDWARD F DEJACO-LOHR
BRUCE E DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100 320 EAST TOWSONTOWN BOULEVARD TOWSON, MARYLAND 21286-5318

> 410-823-4470 FAX 410-823-4473

EMERITUS

PAUL G DOLLENBERG
FRED H DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F ETZEL

October 13, 1998

Zoning Description
Property to be Combined with
17020 Evna Road

Commencing from a point in the center of Evna Road, 1020 feet, more or less, north from the center of Mt. Carmel Road, and running South 85 degrees 27 minutes 23 seconds West 25.00 feet, North 04 degrees 32 minutes 37 seconds West 75.52 feet, North 80 degrees 23 minutes 26 seconds West 190.16 feet, North 06 degrees 49 minutes 26 seconds West 179.03 feet, South 79 degrees 28 minutes 20 seconds West 133.64 feet, South 75 degrees 39 minutes 05 seconds West 155.16 feet, South 72 degrees 52 minutes 15 seconds West 149.18 feet and South 68 degrees 50 minutes 05 seconds West 84.39 feet to the point of beginning, running thence from the point of beginning, 1) South 68 degrees 50 minutes 05 seconds West 63.59 feet, 2) South 64 degrees 46 minutes 47 seconds West 70.00 feet, 3) South 25 degrees 13 minutes 13 seconds East 60.00 feet, 4) North 67 degrees 45 minutes 00 seconds East 160.00 feet, and 5) North 47 degrees 40 minutes 00 seconds West 69.02 feet to the point of beginning.

Containing 0.210 Acres of land, more or less.

This description only satisfies the requirements of the Office of Zoning and is not for conveyance purposes.



	OF DESCRIPTION OF STATES O	49.164 SPHA	CASHIER'S VALIDATION
No. 060722	R-CC1-6/50 F	90.16	
BALTIMORE COUNTY, MARYL/ OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE (C) (C) (T) ACCOUNT	FOR: TOO ELLINA	DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CERTIFICATE OF PUBLICATION

TOWSON, MD., MOVEMBER 19

published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of / successive THIS IS TO CERTIFY, that the annexed advertisement was weeks, the first publication appearing on \mathcal{Mor}

Casii 1994 84-58H AA 1702b Byria Road 200 O'd Byria Road 1020N of certerline Mt. Carriel Road The Beaton District

LAWRENGE E. SCHMIDT.
Zoning Commissioner for Baltimore County
NOTEs: (1) Hearings are Handicapped Accecommodations Please Dall (410) 867-8585.
(2). For information Concerning the File an
Call (410) 887-8381.

THE JEFFERSONIAN, LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

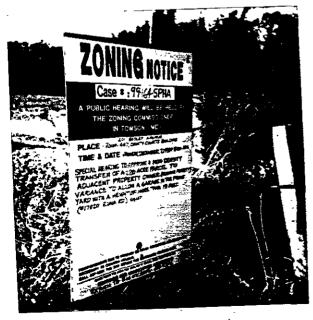
RE. Case No. 99-164-SPHA Petitioner/Developer G., C. & E., ETAL % NEWTON WILLIAMS, ESP Date of Hearing/Closing: 12/7/98

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # [7020 EVNA ROAD] 11/15/98 (Month Day Year) The sign(s) were posted on _____



Sincerely,

Signature of Sign Poster and Date) 11/18/98

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366; CELL-410-905-8571 (Telephone Number)

RE: PETITION FOR SPECIAL HEARING PETITION FOR VARIANCE	*	BEFORE THE
17020 Evna Road, Evna Rd, 1020' N of c/l Mt.	*	ZONING COMMISSIONER
Carmel Rd, 7th Election District, 3rd Councilmanic	*	FOR
Legal Owners: Sherlock S. and Iva L. Gillet Contract Purchaser: Sherlock & Bruce Ann Gillet, Jr.	*	BALTIMORE COUNTY
·	*	Case Number: 99-164-SPHA
Petitioner(s)	.	Case Number: 99-104-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel

Old Courthouse, Room 47

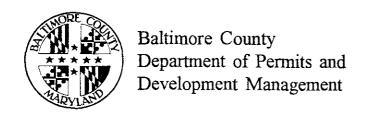
400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

PETER MAX ZIMMERMAN



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

October 29, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-164-SPHA

17020 Evna Road

C of Evna Road, 1020' N of centerline Mt. Carmel Road

7th Election District – 3rd Councilmanic District

Legal Owner: Iva Louise Gillet & Sherlock S. Gillet

Contract Purchaser: Bruce Ann Gillet & Sherlock S. Gillet, Jr.

<u>Special Hearing</u> to approve the non-density transfer of a parcel of land containing .210 acres +/- to an adjoining property owner. <u>Variance</u> to allow an accessory structure (garage) to be located in the front yard; and to allow an accessory structure (garage) to exceed 15 feet in height.

HEARING: Monday, December 7, 1998 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

Arnold Jablon, Director

c: Iva & Sherlock Gillet

Bruce & Sherlock Gillet, Jr. Gerhold, Cross & Etzel, Ltd.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 22, 1998.

(2) HEARINGS ARÉ HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

November 19, 1998 Issue - Jeffersonian

Please forward billing to:

Sherlock S. Gillet, Jr. 17020 Evna Road

410-343-1373

17020 Evna Road Parkton, MD 21120

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-164-SPHA

17020 Evna Road

C of Evna Road, 1020' N of centerline Mt. Carmel Road

7th Election District – 3rd Councilmanic District

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HEARING: Monday, December 7, 1998 at 11:00 a.m. in Room 407, County Courts

Building, 401 Bosley Avenue

LAWRENCE E. SCHMIDT

Lawrence 2. Ochato

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

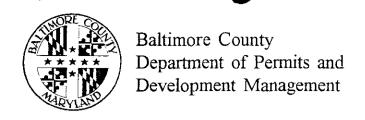
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:			
Item Number or Case Number: 99-164-SPHA			
Petitioner: SHERLOCK S. GILLET, Jr.			
Address or Location: 17020 EVNA ROAD PARKTON, MD. 21120			
PLEASE FORWARD ADVERTISING BILL TO:			
Name: SHERLOCK S. GILLET, Jr.			
Address: 17020 EVNA ROAD			
PARKTON, MD. 21120			
Telephone Number: 410-343-1373			

Revised 2/20/98 - SCJ

Request for Zoning: Variance, Special Exception, or Special Hearing			
Date to be Posted: Anytime before but no later than			
Format for Sign Printing, Black Letters on White Background:			
ZONING NOTICE			
Case No.: 99-164-5PHA			
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER			
IN TOWSON, MD			
PLACE:			
DATE AND TIME:			
REQUEST: Valuance to Allow GARAGE in the troot yard with			
A height of more than 15: Special Hearing to			
Allow a non density transfer at a .210 acre			
parcel of ground to An adjoining property			
BINNER			
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.			
TO COM MAN THE MAN COME GOVE SOVI.			
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW			
HANDICAPPED ACCESSIBLE			
•			

9/96 post.4.doc



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

December 1, 1998

Mr. Bruce E. Doak Gerhold, Cross & Etlel, LTd. 320 E. Towsontown Blvd., Suite 320 Towson, MD 21286

RE: Item No.: 164

Case No.: 99-164-SPH

Location: 17020 Evna Road

Dear Mr. Doak:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 15, 1998.

The Zoning Advisory Committee (ZAC), which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: November 2, 1998

Department of Permits & Development

Management

FROM

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting for November 2, 1998

Item Nos. 154, 155, 158, 159, 161, 162, 163, 164, 165, 166, 167, 170

Also:

Case #99-151-SPHXA

Loyola College/Beckleysville Road

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

OCTOBER 29, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOPER 26, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

153, 154, 155, 158, 161, 162, 163, (164) 166, 167, AND 170

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

- Novamia, 23, 1393

Department of Palaits and Development Management (POM) County Office Building, Room 111 Mail Stop #1100 111 Mest Chesapeake Avenue Towson, Maryland 21204 RECEIVED JAN 0 6 2000

ACTEMITION: THEY Stephens

PE: Property Cyner: Cardinal William H. Heeler, Roman Datkolis Archbishop Of Baltimore, a torporation sale - 164 Edward A. Bull - 160

location: DISTRIBUTION MEETING OF November 1, 1999

Toem No.: 1-9 & 164

Dead Ms. Sterner:

Our last to your request, the relarenced property has been surveyed by this Eureau and the conments below are applicable and required to be corrected or in orpopated into the final plans for the property.

- 1. Sine bywhants for the isferenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 7.4.4 Fire Hydrants, as published by the Department of Public Works.
- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Tode prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the

The state thinking which are the state of the energy on the Tarte of the Profession Activities at andati No. 107 "India diangle for y Code", 1944 adultan proposition or appearage.

REVIEWER: DIFFUTEMENT HERB TAYLOR, Fire Mandhalle office PHONE 887-4881, MS-1107F

Sinh 12/1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: October 27, 1998

TO: Arnold Jablon, Director Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Item No (s): 164 & 166

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: Offing W. Long

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Department of Permits

and Development Management

Date: November 12, 1999

RECEIVED JAN 6 8 2000

FROM: Amold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions # 164

The Office of Planning has no comment on the following petition(s):

Item No(s): 164 and 177)

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

To:

POM

DATE: 11/2/98

FROM:

R. Bruce Seeley RANJUY Permits and Development Review

SUBJECT:

Zaning Advisory Committee Mesting Date: 16/26

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

allitime Items.

Itam #'s:

RES:sp

BRUCE2/DEPRM/TXTSBP



Parris N. Glendening Governor

David L. Winstead Secretary

Parker F. Williams Administrator

Date: 10.27.91

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: Baltimore County

Item No. 144

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P.J. Brill Michael M. Lenhart, Acting Chief **Engineering Access Permits Division**

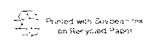
BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT.

TO:	Arnold Jablon	RECEIVED JAN 0 6 2002
FROM:	R. Bruce Seeley MB	
DATE:	November 29, 1999	
SUBJECT:	Zoning Item #164 8420 Belair Road, St. Joseph	<u>Church</u>
Zoning	g Advisory Committee Meeting of November	r 8, 1999
	epartment of Environmental Protection and Fents on the above-referenced zoning item.	Resource Management has no
an exte	epartment of Environmental Protection and Fension for the review of the above-referenced to which environmental regulations apply to	zoning item to determine the
	epartment of Environmental Protection and Flowing comments on the above-referenced zo	_
X_	Development of the property must comply v Protection of Water Quality, Streams, Wetla 14-331 through 14-350 of the Baltimore Co	ands and Floodplains (Sections
	Development of this property must comply Regulations (Section 14-401 through 14-42. Code).	
	Development of this property must comply Critical Area Regulations (Sections 26-436 Sections, of the Baltimore County Code).	<u> </u>
<u>X</u>	A Forest Buffer Easement must be recorded Baltimore County Land Records along with Covenants. These items shall be recorded a property prior to permit approval.	a Declaration of Protective

ALL TAILS OF ALL

PETITIONER(S) SIGN-IN SHEET

	NAME	ADDRESS		
RICE DOAK - GERHOLD,	Caoss & ETZCZ, LTD 320 1	E. TOWSONTOWN BLUE. TOWSON,	Mo 21286	
Sharlock G. 11e	et Sr 17020 EUNA Rol Page	kton MD21120		
-				
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			Merc.	
				
			Participal Planning Street	



Sherlock S. Gillet Jr. 17020 Evna Road Parkton, Maryland 21120

April 6, 1999

Mr. Timothy M. Kotroco Deputy Zoning Commissioner Baltimore County Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204

Re:

Case No. 99-164-SPHA

17020 Evna Road

Dear Mr. Kotroco:

Pursuant to the conditions set forth in the above referenced order, I am providing a copy of the recorded deed to the Department of Permits and Development Management (DPDM), through the Zoning Commissioner, for inclusion in the case file.

I just received the recorded deed on April 6, 1999 and am forwarding at my earliest convenience, per Ms. Marlene Novak.

Regards,

Sherlock S. Gillet Jr.

enclosure

00/3545 📥 3

7TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

NO CONSIDERATION DEED

NO TITLE SEARCH

THIS DEED, made this <u>231d</u> day of February, in the year one thousand nine hundred and ninety-nine, by and between SHERLOCK SWANN GILLET and IVA-LOUISE GILLET, of Baltimore County, in the State of Maryland, of the first part, Grantors, and SHERLOCK S. GILLET, JR. and BRUCE ANN GILLET, husband and wife, of Baltimore County in the State of Maryland, of the second part, Grantees.

WITNESSETH, that in consideration of the love and affection between the parties and for the purpose of executing a transfer from parent to child, and no other consideration, the said parties of the first part do grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, the survivor of them, and the heirs, personal representatives and assigns of the survivor, in fee simple, all that lot or parcel of ground situate in the Seventh Election District of Baltimore County, State of Maryland, and described as follows:

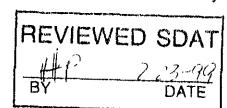
For description see Exhibit A attached.

BEING part of the firstly described parcel of land which by Deed dated September 14, 1984, and recorded among the Land Records of Baltimore County in Liber EHK Jr. No. 6787, folio 58, was granted and conveyed by Donald B. Hebb, Jr. and Harriett Hebb Notzon, Personal Representatives of the Estate of Mathilde M. Hebb, unto Sherlock Swann Gillet and Iva-Louise Gillet, the within Grantors.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said lot or parcel of ground and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said parties of the second part as tenants by the entireties, their assigns, the survivor of them, and the heirs, personal representatives and assigns of the survivor, in fee simple.

AND the said parties of the first part hereby covenant that they have not done nor suffered to be done any act, matter or thing whatsoever to encumber the property hereby granted; that they will warrant specially the property hereby granted and conveyed, and that they will execute such



further assurances of the same as may be requisite.

Man Variece

WITNESS the hands and seals of said Grantors:

Witness:

SHERLOCK SWANN GILLET (SEAL)

IVA-LOUISE GILLET

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY, that on this _______ day of February, in the year one thousand nine hundred and ninety-nine, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared SHERLOCK SWANN GILLET and IVA-LOUISE GILLET, known to me (or satisfactorily proven) to be the persons whose name s are subscribed to the within Deed, who signed the same in my presence, and acknowledged that they executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission expires on: AUGUST 1 2001

After recording, please return to:

Towson, MD 21204

Gail G. Cooper 409 Washington Avenue Suite 314

This is to certify that the within instrument has been prepared by or under the supervision of the undersigned Maryland attorney or by a party to this instrument.

Gail G. Cooper

0013545 715

GORDON T LANGDON

EDWARD F DEIACO-LOHR

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100 320 EAST TOWSONTOWN BOULEVARD TOWSON, MARYLAND 21286-5318

> 410-823-4470 FAX 410-823-4473

EMERITUS

PAUL G DOLLENBERG
FRED H DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G ULRICH

February 17, 1999

0.210 Acre Parcel of Land to be Conveyed to Sherlock S. Gillet, Jr. and Wife

All that piece or parcel of land situate, lying and being in the Seventh Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at an iron bar and cap now set in the fourteenth or North 64 degrees 46 minutes 47 seconds East 149.95 foot line of the 10.292 acre parcel of land designated as exhibit B, which by a deed dated March 6, 1992 and recorded among the Land Records of Baltimore County in Liber S.M. No 9108 folio 323 was conveyed by Sherlock S. Gillet, Jr. and Bruce Ann Gillet, his wife to Sherlock S. Gillet, Jr. and Bruce Ann Gillet, his wife, said iron bar and cap being distant, North 64 degrees 46 minutes 47 seconds East 79.95 feet measured along said fourteenth line from a pipe and cap heretofore set at the beginning thereof and running thence with and binding on a part of said fourteenth line as the courses are referred to the Baltimore County Grid Meridian, 1) North 64 degrees 46 minutes 47 seconds East 70.00 feet to the end of said line, thence running with and binding on a part of the fifteenth line of said parcel of land, 2) North 68 degrees 50 minutes 05 seconds East 63.59 feet to an iron bar and cap now set, thence leaving the said fifteenth line and running for lines of division now made in 1999 the three following courses and distances, viz: 3) South 47 degrees 40 minutes 00 seconds East 69.02 feet to an iron bar and cap now set, 4) South 67 degrees 45 minutes 00 seconds West 160.00 feet, to an iron bar and cap now set, and 5) North 25 degrees 13 minutes 13 seconds West 60.00 feet to the place of beginning.

Containing 0.210 of an Acre of land, more or less.

Being part of the firstly described parcel of land in a deed dated September 14, 1984 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. No. 6787 folio 58 which were conveyed by Donald B. Hebb, Jr. and Harriet Hebb Notzon, Personal Representatives of the estate of Mathilde M. Hebb to Sherlock Swann Gillet and Iva Louise Gillet.

Together with the right and use thereof in common with the grantors herein, their heirs and assigns of an existing stone driveway for ingress and egress leading from Evna Road in a westerly and northwesterly direction through the remaining lands of the grantors herein to the fourth line of the herein described 0.210 Acre parcel of land; the intent herein is to limit the grantors use in common, as previously granted in the deed from Sherlock Swann Gillet and wife

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

to Sherlock S. Gillet, Jr. and recorded among the Land Records of Baltimore County in Liber S.M. No. 8860 folio 267, of the existing stone driveway to said driveways intersection with the said fourth line.

Note: See Zoning Case #99-164-SPHA

17020 Evna Road

Special Hearing to approve the non-density transfer parcel of land containing .210 acres, more or less, to an adjoining property owner. Variance to allow an accessory structure (garage) to be located in the front yard; and to allow an accessory structure (garage) to exceed 15 feet in height which was granted December 28, 1998, subject to the restrictions as set forth in the Variance.



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